

UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF MASSACHUSETTS

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ETHAN THOMAS, )  
Plaintiff )  
V. ) Civil Action  
NEW ENGLAND FAST FERRY OF )  
MASSACHUSETTS, LLC, )  
NEW ENGLAND FAST FERRY )  
COMPANY, LLC, and )  
INTERLAKE LEASING IV, INC., )  
Defendants )  
)

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OPPOSITION TO DEFENDANT'S MOTION FOR CORI ACCESS  
REGARDING THE PLAINTIFF

NOW COMES the Plaintiff, and states as follows:

1. Defendant has sought access to all of the Plaintiff's CORI information.

Defendant contends that it should be allowed access "for the purpose of impeachment during the trial of this matter."

2. The Plaintiff objects to this request because it seeks information that is not reasonably calculated to lead to the discovery of admissible evidence in violation of Fed.R.Civ.P. 26(b)(1), and because it is unduly invasive of the Plaintiff's privacy.

3. CORI information includes a person's entire criminal record, including arrests. M.G.L. c. 6, §167. The Defendant's request for the Plaintiff's entire CORI file is beyond the scope of discovery as it seeks information that is 1) not reasonably calculated to lead to the discovery of admissible evidence, and 2) clearly inadmissible at trial.

Fed.R.Civ.P. 26(b)(1); Fed.R.Evid. 609.

4. Because access to the Plaintiff's entire CORI file is not reasonably

calculated to lead to the discovery of admissible evidence, the Defendant's motion should be denied. Because access to the Plaintiff's entire CORI file has nothing to do with impeachment for the reasons stated above, the Defendant's motion is in violation of M.G.L. c. 6, §172(c).

WHEREFORE, the Plaintiff respectfully requests:

- A. That Defendant's request for access to CORI information be denied.
- B. For such other and further relief as may be just.

Respectfully submitted for the  
the Plaintiff, by his attorney,



/s/ David J. Berg, Esq.  
David J. Berg, Esq.  
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CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the within document with the Clerk of the Court using the CM/ECF system which will send notification of such filing(s) to all counsel of record.



/s/ David J. Berg, Esq.  
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Dated: June 14, 2007